

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

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CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY

DEPUTY

TEXAS MEDICAL PROVIDERS PERFORMING  
ABORTION SERVICES, et al.,  
Plaintiffs,

-vs-

Case No. A-11-CA-486-SS

DAVID LAKEY, M.D., et al.,  
Defendants.

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**ORDER**

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically non-parties Senator Dan Patrick and Representative Sid Miller's Motion for Leave to Appear as *Amici Curiae* [#50], and the related filings [#53, 54]. Having reviewed the documents, the relevant law, and the file as a whole, the Court now enters the following opinion and order DENYING the motion.

Both parties in this case are well-represented by competent and diligent counsel, and neither they nor this Court needs assistance from Senator Patrick or Representative Miller—particularly when much of their “assistance” is nothing more than thinly-veiled rhetoric. This is a federal lawsuit about the constitutionality of a statute, not a soapbox for politicians or a sounding board for public opinion. The Court is confident counsel in this case can protect their clients' interests all by themselves.

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Accordingly,

IT IS ORDERED that Senator Dan Patrick and Representative Sid Miller's Motion for Leave to Appear as *Amici Curiae* [#50] is DENIED.

SIGNED this the 9<sup>th</sup> day of August 2011.

  
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SAM SPARKS  
UNITED STATES DISTRICT JUDGE